

MINUTES OF THE ANNUAL MEETING
OF THE
WATER USERS OF THE LOWER JORDAN RIVER

The annual meeting of the Water Users of the Lower Jordan River Distribution System and representatives of the Division of Water Rights was held Friday the 20th day of January, 1978 at 2:00 o'clock p.m. in a conference Room, 122 Capitol Building, Salt Lake City, Utah. Present at the meeting were Donald Norseth representing the Division of Water Rights of the State of Utah; Bill Shaffer and E. Fred Lewis representing North Point Duck Club; Oscar W. Moyle, Jr. representing Jordan Fur & Reclamation Company; Archie Hurst representing North Point Consolidated Irrigation Company; Willard B. Knorr, farmer; Richard H. Moffat representing the Northern River Water Users and Utah Improvement Company; Oscar W. Gray representing Lakefront and the West-side Associated Clubs; Edward D. Feldt, Division of Water Rights; E. J. Skeen, Chairman of the Commissioners of the Lower Jordan River Water Users; Tharold E. Green, Jr. representing Jordan River Parkway Authority; Larry L. Brasher representing Rudy Reclamation Company; and John E. Moesser, Water Commissioner.

The minutes of the annual meeting held January 28, 1977 were read by Oscar W. Moyle, Jr. The minutes were amended by showing the appointment of Mr. Moffat by O. Wood Moyle III as an additional person to represent the interests of the northern part of the river system and Mr. Willis Wright to represent the Blackhawk Gun Club and the minutes as so amended were unanimously approved upon motion of Oscar W. Gray.

The financial statements for 1977 were reviewed in detail and upon motion were unanimously approved. Attached to the financial statement was a list of delinquent water assessments as of January 10, 1978. A large portion of the list of delinquencies was in small amounts primarily assessed against individual water users and Mr. Morseth stated that it was very doubtful if these small amounts warranted the time and effort to collect them, that he thought that many of them had been assessed against former owners or against owners that have since sold the property to new owners. After a discussion of the small delinquencies it was moved by Mr. Oscar W. Moyle, Jr. and seconded by Mr. Moffat that Mr. Norseth be authorized to use his own judgment in writing off any of the small deficiencies which he did not consider readily collectible.

Don Norseth

Mr. Norseth reviewed the water year for last year and the prospects for this year and from that report it appeared that we should have a considerably better water year this year than last. Last year we had an average of about 200 second feet in the river; we picked up about 100 second feet from the farmers that was drained back into the river and we therefore operated on about 300 feet during the average of the year and for a few days only, after storms, we had as much as 400 second feet.

A report was made by Mr. John Moesser of his activities during the year. He stated that his main trouble during the year had been the handling of the Husted Dam, that it was very difficult to control the water from the dam and that he had to hide the boards to keep them from being placed in the dam and diverting the water out of the river.

He was of the opinion that the only way the dam could be handled reasonably and properly was to build a new concrete and controlled diversion system from the river and he estimated the cost thereof would be \$7,000.00 more or less. After a general discussion of what should be done it was the consensus of opinion of the persons present that further study should be given this and exact costs determined before this expenditure is made and that this problem be deferred for later consideration.

In connection with the distribution of water for the coming year it was duly moved by Mr. Moffat, seconded by Mr. Moyle that the following resolution be adopted:

RESOLVED, that in the event of low water this year, "low water" being defined as below 325 second feet at the point of diversion between the river and the surplus canal, that the water is to be divided one half to the river and its users and one half to the surplus canal and its users for the water year 1978 only and without prejudice to any of the legal rights of the parties involved.

BE IT further resolved that the committee of the Lower Jordan River Water Users Association be and it is hereby authorized and directed to take such steps as are necessary and appropriate to effect the foregoing resolution.

Said resolution was unanimously passed.

Upon motion of Mr. Moffat, seconded by Mr. Oscar W. Moyle, Jr. and unanimously carried, it was recommended by the Water Users to the Division of Water Rights of the

Department of Natural Resources of the State of Utah that
Mr. John E. Moesser be reappointed Commissioner for the
system for the coming year. It was further recommended that
his salary be increased to \$200.00 per month (gross) and
that his car expense be increased to \$125.00 per month.
Upon motion of Mr. Moffat and seconded by Mr. Moyle, Mr.
Moesser was commended for his work during the last year.

The budget for the coming year was discussed and
on motion, seconded and unanimously approved the budget for
last year was adopted for the budget of this year with
adjustments being made thereto for the increase in Mr.
Moesser's salary and car expense.

Upon motion duly seconded and unanimously carried
the following persons were named to act as members of the
Lower Jordan Water Users Association Committee for the
coming year and until their successors are appointed:

Chairman - Edwin J. Skeen, 536 East 4th South
Salt Lake City, Utah 84102

O. Wood Moyle III, 600 Deseret Plaza
Salt Lake City, Utah 84101

Dee F. Anderson, 2050 Laird Drive, Salt
Lake City, Utah 84108

Carley Burton, Utah Power & Light Company,
1407 West North Temple, Salt Lake City,
Utah 84116

Willard Knorr, 530 North Redwood Road,
Salt Lake City, Utah 84116

Ralph C. Anderson, 1430 Cheyenne Street,
Salt Lake City, Utah 84104 (Brighton-North
Point)

Oscar Gray, 2661 Evergreen Avenue,
Salt Lake City, Utah

Fred Lewis, 3011 Orchard Drive,
Bountiful, Utah 84010 (Department of
Public Safety at 5201)

Archie Hurst, North Point Consolidated

Willis Wright, Sports Unlimited, 1246 East
Wilmington, Salt Lake City, Utah 84106

Richard H. Moffat, Moffat Welling, Paulsen &
Burningham, Tribune Building, Salt Lake
City, Utah 84111

Provo-Jordan River Parkway, 807 East South
Temple, Salt Lake City, Utah 84102

Mr. Norseth then declared the meeting open for any questions or suggestions by the persons present. Mr. Gray stated that he was of the opinion that many of the water users, particularly on the west side, did not understand how the distribution of water was being made to the individual users and, therefore, they did not cooperate too well with Mr. Moesser and that he recommended that the individual water users be advised that the distribution was being made by the Division of Water Rights of the State of Utah. A question was raised as to the legality of the distribution being made and Mr. Morseth said that the State Engineer through the Division of water Rights had adjudicated the uses on the west side and he thought that it would be well to advise them of the adjudication of their particular rights. No formal action was taken in connection with this matter.

Mr. Moyle raised the question of the liability of the members of the Water Users of the Lower Jordan River Distribution System in the pursuance of Mr. Moesser's duties and work particularly in connection with the operation of his automobile. Mr. Moffat stated that he was of the opinion that our organization would be treated as an association somewhat similar to an unincorporated club and that he had

in the past had occasion to research the question of the liability of the members of an association such as ours and that he would be happy to research it or have it researched again and would report back to the Water Users Association Committee.

The Committee was then authorized to purchase such insurance as it deemed appropriate paying for it out of the coming year's budget. It was then moved by Mr. Moffat, seconded by Mr. Moyle that the members of the association go on record to show their appreciation for the fine services during the last year by Mr. Don Norseth.

\$25.00
A donation of TwentyFive dollars to the State Water Users Association was suggested by Mr. Skeen and approved.

There being no further business, the meeting was adjourned at 4:00 o'clock p.m.

Charles Moyle Jr.
Secretary of the Meeting